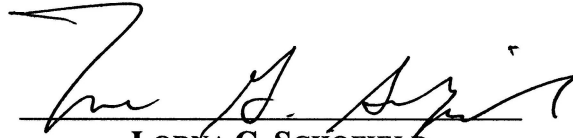


Pursuant to the Court's Individual Rule I.D.3, any party or non-party having an interest in maintaining under seal any of the material redacted or filed under seal shall file a letter in support of that position by **November 23, 2022**.

Plaintiffs shall serve a copy of this Order on third parties Mitchell and J.D. Power by **November 21, 2022**.

So Ordered.

Dated: November 18, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Volino, et. al. v. Progressive Casualty Ins. Co., et al.*, No. 1:21-cv-06243-LGS

Dear Judge Schofield:

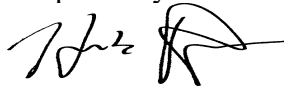
Pursuant to Rule I.D.3 of the Court's Individual Rules of Practice, and the Stipulated Protective Order entered on October 21, 2021, (ECF No. 45), as amended on January 25, 2022 (ECF No. 77), Plaintiffs respectfully request leave to file under seal Plaintiffs' Motion for Class Certification; portions of the Declaration and Expert Report of Jason Merritt; and Exhibits 1-2 & 4-12 to the Declaration of Hank Bates. The Motion and supporting materials reference and discuss information that Defendants Progressive Advanced Insurance Company ("PAIC"), Progressive Max Insurance Company ("PMIC"), Progressive Specialty Insurance Company ("PSIC"), and Progressive Casualty Insurance Company ("PCIC") (collectively "Defendants") have designated as confidential, as well as information that third parties Mitchell International, Inc. ("Mitchell") and J.D. Power have designated as confidential or highly confidential.

Pursuant to Rule I.D.3, and paragraph ten of the Stipulated Protective Order, a redacted copy of the Motion will be publicly filed contemporaneously with this letter, along with a copy of the unredacted Motion and supporting materials with highlighted redactions under seal.

Plaintiffs are redacting portions of the Motion and supporting materials to comply with their obligations under the Stipulated Protective Order. These redactions do not reflect Plaintiffs' position on whether those designations should stand under Second Circuit law.

Counsel for Plaintiffs conferred with Defendants' counsel and counsel for Mitchell and J.D. Power, all of whom agreed that their clients' confidential documents and information should be filed under seal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Hank Bates', with a stylized flourish at the end.

Hank Bates

cc: All Counsel of Record via ECF

APPENDIX 1

Pursuant to Rule I.D(3), the following attorneys of record should have access to the sealed letter-motion requesting a premotion conference on Plaintiffs' motion for class certification:

Counsel for Plaintiffs	Counsel for Defendants
<p>Jacob L. Phillips (<i>Pro Hac Vice</i>) NORMAND PLLC 3165 McCrory Place, Suite 175 Orlando, FL 32803 Telephone: (407) 603-6031 Email: jacob.phillips@normandpllc.com Email: ean@normandpllc.com</p> <p>Hank Bates (<i>Pro Hac Vice</i>) Tiffany Wyatt Oldham (<i>Pro Hac Vice</i>) Lee Lowther (<i>Pro Hac Vice</i>) Jake G. Windley (<i>Pro Hac Vice</i>) CARNEY BATES & PULLIAM, PLLC 519 W. 7th Street Little Rock, AR 72201 Telephone: (501) 312-8500 Email: hbates@cbplaw.com Email: toldham@cbplaw.com Email: llowther@cbplaw.com Email: jwindley@cbplaw.com</p> <p>Mariam Grigorian (<i>Pro Hac Vice</i>) SHAMIS & GENTILE, P.A. 14 NE 1st Avenue, Suite 705 Miami, FL 33132 Telephone: (305) 479-2299 Email: mgrigorian@shamisgentile.com</p> <p>Scott Adam Edelsberg (<i>Pro Hac Vice</i>) Christopher Chagas Gold (<i>Pro Hac Vice</i>) EDELSBERG LAW 20900 NE 30th Avenue, Suite 417 Aventura, FL 33180 Telephone: (305) 975-3320 Email: scott@edelsberglaw.com Email: chris@edelsberglaw.com</p>	<p>Laura Elizabeth Harris KING & SPALDING LLP 1185 Avenue of the Americas New York, NY 10036 Telephone: (212) 790-5360 Fax: (212) 556-2222 Email: lharris@kslaw.com</p> <p>Jeffrey Cashdan (<i>Pro Hac Vice</i>) Allison Hill White (<i>Pro Hac Vice</i>) James Matthew Brigman (<i>Pro Hac Vice</i>) Zachary Andrew McEntyre (<i>Pro Hac Vice</i>) KING & SPALDING LLP 1180 Peachtree Street NE, Suite 1700 Atlanta, GA 30309 Telephone: (404) 572-5600 Email: jcashdan@kslaw.com Email: awhite@kslaw.com Email: mbrigman@kslaw.com Email: zmcentyre@kslaw.com</p> <p>Julia Constance Barrett (<i>Pro Hac Vice</i>) KING & SPALDING LLP 500 W. 2nd Street, Suite 1800 Austin, TX 78701 Telephone: (512) 457-2053 Email: jbarrett@kslaw.com</p>

<p>Thomas M. Mullaney LAW OFFICES OF THOMAS M. MULLANEY 530 Fifth Avenue, 23rd Floor New York, NY 10036 Telephone: (212) 223-0800 Fax: (212) 661-9860 Email: Mulllaw@msn.com</p>	
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